

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

TANYA DENISE STEWART

PLAINTIFF

VERSUS

CIVIL ACTION NO. 1:07cv1270WJG-JMR

JOHNNIE MAE PERRY, *et al.*

DEFENDANTS

ORDER

THIS MATTER is before the Court on motion [36] of Defendant Singing River Hospital System, [Singing River], to dismiss this cause pursuant to Federal Rule of Civil Procedure 12(b)(6). In accordance with the Memorandum Opinion entered in this cause, this date, incorporated herein by reference, it is therefore,

ORDERED AND ADJUDGED that Defendant's motion to dismiss [36] be, and is hereby, granted in part and denied in part. It is further,

ORDERED AND ADJUDGED that all claims advanced under state law against Singing River, if any, be, and are hereby, dismissed with prejudice. It is further,

ORDERED AND ADJUDGED that the motion to dismiss claims advanced under Section 1983 against Singing River, be and are hereby, denied. It is further,

ORDERED AND ADJUDGED that each party bear their respective costs associated with this motion.

SO ORDERED AND ADJUDGED, this the 14<sup>th</sup> day of January, 2009.

Walter J. Fox III  
UNITED STATES SENIOR DISTRICT JUDGE